IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4767 OF 2006

Gajanan Shelar and another ...Petitioners

Versus

The State Election Commissioner and others ...Respondents

Mr. K.K. Singhvi, Senior Advocate, with Mr. R.D. Soni, instructed by M/s. Ram & Co., for the petitioners.

Mrs. Manisha Shekhar for respondent No.1.

Mr. V.A. Gangal for respondent Nos. 2 and 3.

Mr. R.D. Rane, Assistant Government Pleader, for respondent Nos. 5 and 6.

CORAM: **H.S. BEDI, C.J.,** &
V.M. KANADE, J.

DATE: **OCTOBER 09, 2006**.

P.C.

We have heard the learned counsel for the parties at length.

2. We are informed that the Ward in question would comprise only about 250 voters out of a total population of 13,000 and odd, comprising of serving defence personnel in the Artillery Centre, Deolali,

Nashik. We are *prima facie* of the opinion that the creation of a Ward to accommodate 250 voters does not justify its creation. We, therefore, request the State Election Commissioner to have a look into the matter in the light of the issues that have been raised in the writ petition and to pass a fresh order within a period of three weeks, after hearing all parties. We also give liberty to the petitioner to move this Court yet again, if the need arises. The writ petition is accordingly disposed of.

CHIEF JUSTICE

V.M. KANADE, J.